

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**CORPORATE COMMISSION OF THE
MILLE LACS BAND OF OJIBWE INDIANS,**

Plaintiff,

v.

No. MC-13-0049 RB/LAM

MONEY CENTERS OF AMERICA, INC., et al.,

Defendants,

and

BANK OF AMERICA, N.A.,

Garnishee.

**ORDER TO ENTER AN APPEARANCE
AND SETTING BRIEFING DEADLINES**

THIS MATTER is before the Court *sua sponte*. On March 12, 2014, the undersigned was assigned to this case and, on the same day, the presiding judge referred the claims raised in this case to the undersigned for proposed findings and a recommended disposition, and a hearing, if necessary. [Doc. 17]. Upon review of the record of the case, the undersigned found that the garnishee, Bank of America, was not entered on the Court's docket despite having filed an answer to the first writ of garnishment on January 16, 2014. See [Doc. 6]. The Clerk's office has corrected this error, and Garnishee Bank of America was added to the Court's docket on March 13, 2014, and Documents 7 through 18 were mailed the same day to the Garnishee.¹ On

¹ The Court notes that Bank of America's answers to the writs of garnishment [Docs. 6, 12, and 13] were all signed by Emma Boghossian as an "officer, partner or authorized representative of" Bank of America. The Court hereby directs Bank of America to enter an appearance in this case pursuant to Local Rule 83.4 **no later than March 28, 2014**. See D.N.M. LR-Civ. 83.7 ("A corporation, partnership or business entity other than a natural person must be represented by an attorney authorized to practice before this Court."), see also D.N.M. LR-Civ. 83.3, regarding appearance of attorneys licensed outside the district.

February 27, 2014, Plaintiff filed a motion for an order directing the garnishee to release funds. [*Doc. 14*]. Defendant Money Centers of America, Inc. filed a response to the motion on March 11, 2014 (*Doc. 16*), and Plaintiff filed a reply on March 13, 2014 (*Doc. 18*).² Recognizing that Garnishee Bank of America may not have been notified of any of the filings in this case because the Garnishee was not added to the docket until March 13, 2014, the Court will allow Garnishee Bank of America time in which to respond to Plaintiff's motion to release funds (*Doc. 14*).

IT IS THEREFORE ORDERED Garnishee Bank of America shall enter an appearance in this case pursuant to Local Rule 83.4 **no later than March 28, 2014**.

IT IS FURTHER ORDERED that Garnishee Bank of America may file a response to Plaintiff's motion to release funds [*Doc. 14*] **by Friday, March 28, 2014**. The other parties may file a reply to Bank of America's response **within fourteen (14) days of the filing of the response**.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE

² The Court notes that Plaintiff's reply [*Doc. 18*], was filed as a motion on the Court's docket. The Court hereby instructs Plaintiff to contact the Clerk's office to correct this error.